

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 3141	
In Re Application Of: BONITZ, R., ET AL					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/517,418	12/08/2004		278		
Title: OPTICAL LENS WITH SOFT-FOCUS					
<p>Address to:</p> <p>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>37 CFR 1.97(b)</p> <p>1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p style="text-align: center;">37 CFR 1.97(c)</p> <p>2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:</p> <p style="margin-left: 40px;"><input type="checkbox"/> the statement specified in 37 CFR 1.97(e);</p> <p style="text-align: center; margin-left: 100px;">OR</p> <p style="margin-left: 40px;"><input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).</p>					

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
3141

In Re Application: **BONITZ, R., ET AL**

APR 20 2005

Application No. 10/517,418	Filing Date 12/08/2004	Examiner 278	Customer No. 278	Group Art Unit	Confirmation No.
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Title: **OPTICAL LENS WITH SOFT-FOCUS**

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☐ The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment.
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Dated: **APRIL 18, 2005**

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner:.

Group:

Attorney Docket # 3141

Applicant(s): BONITZ, R., ET AL

Serial No.: 10/517,418

Filed: 12/08/2004

For : OPTICAL LENS WITH SOFT-FOCUS EFFECT

INFORMATION DISCLOSURE STATEMENT

April 18, 2005

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

S I R S:

☐ In accordance with the Duty of Disclosure, Applicant(s) submit(s) herewith a copy of Foreign Search Report in a counterpart application and copies of the reference(s) indicated therein.

☐ In the event that the Foreign Search Report is in a foreign language, a translation thereof is herewith submitted.

☒ Attached hereto is a FORM PTO 1449 listing the references.

☐ Attached hereto is a copy of a reference cited in the specification of the application as filed. The specification itself recites the relevance of these documents, and pursuant to M.P.E.P. Section 609 A (3) this represents an acceptable Statement of Relevancy. The reference(s) appear(s) at the following page(s) and line(s) of the specification:

☐ Applicant petitions for consideration of this Information Disclosure Statement since it is being submitted after receipt of an office action. It is respectfully requested that the required fee be charged to the account of the undersigned: 19-4675.

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☐ Attached hereto are copies of references cited which may be pertinent to this application. Since the references are in the English language, no statement of relevancy is submitted.

☒ Attached hereto is a copy of the Office Action issued in the corresponding German and European applications, together with a translation thereof and copies of the references cited therein. A list of the cited references is also attached.

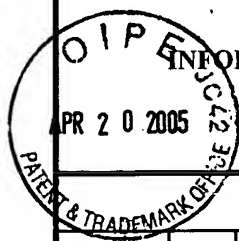
☐ Attached hereto copies of references cited which may be pertinent to this application. An English translation of the reference is also attached.

☐ Attached hereto is a Statement of Relevancy and copies of references cited therein.

☒ Reference **DE 36 02 262** was submitted to the US Patent Office on December 8, 2004 and is in the file of the application.

Respectfully submitted,


Michael J. Striker
Attorney for Applicant(s)
Reg. No. 27233

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

Docket Number (Optional)

Application Number

Applicant(s)

Filing Date

Group Art Unit

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		6,130,777	10/10/2000	YAMASHITA ET AL			

U.S. PATENT APPLICATION PUBLICATIONS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO
		9-159810 A	06/20/1997	JP (ENGLISH ABSTRACT)			✓	
		10-123307 A	05/15/1998	JP (ENGLISH ABSTRACT)			✓	
		1 099 964	08/24/1961	DE				✓

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

April 15, 2005

DECLARATION

The undersigned, Dana Scruggs, having an office at 8902B Otis Avenue, Suite 204B, Indianapolis, Indiana 46216, hereby states that she is well acquainted with both the English and German languages and that the attached is a true translation to the best of her knowledge and ability of US Patent Application (INV.: BONITZ, R., ET AL), Ser. No.: 10/517,418.

The undersigned further declares that the above statement is true; and further, that this statement was made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or document or any patent resulting therefrom.

A handwritten signature in black ink, appearing to read "Dana Scruggs", with a stylized flourish at the end.

Dana Scruggs

- (1) US 6 130 777
- (2) DE 36 02 262 A1
- (3) JP 09 – 159 810 A with abstract
- (4) JP 10 – 123 307 with abstract
- (5) DE 1 099 964 B

1. Reference (1) discloses an optical lens in the form of a lenticulation plate that has an impressed microstructure extending in an undulating manner on its optically active surface, namely the impressed cylinder lenses of the lattice in which a microstructure extending in an undulating manner is impressed. Refer to (1), mainly Figures 1 through 18 and the associated text.

The optical lens as recited in Claim 1 is therefore not novel and Claim 1 is therefore not allowable.

2. In addition, the optical lens as recited in Claim 1 is also rendered obvious to one skilled in the art by the related art according to publications (2) and (3):

Specifically, an optical lens for a motor vehicle headlamp with an aspherically vaulted light exit field is made known in publication (2), the light exit field having a microstructure with an undulating configuration on an optically active surface. Refer to (2), mainly Figures 4, 6 and 7 and the associated text. The lens configured in this manner enables the light cone to propagate in the desired direction without allowing an acute light/dark boundary edge of the headlamp light to exit.

Reference (3) discloses an optical element that is also used in an illumination device that influences the direction of light propagation via optical refraction in the manner of a lens. This element is composed of a transparent, optically refractive material with an undulating microstructure impressed in its optically active surface, in which a likewise undulating microstructure is impressed. Refer

to (3), mainly Figures 1 through 6, the associated text, and the English-language abstract.

One skilled in the art would not have to be inventive to superimpose an undulating microstructure on the undulating microstructure, based on the teaching presented in (3) and the optical lens described in reference (2). The optical lens as recited in Claim 1 and the lens disclosed in the descriptive documents in the exemplary embodiment are therefore rendered obvious to one skilled in the art. Therefore, neither the valid Claim 1 nor Claim 1 defined more precisely in terms of the exemplary embodiment is allowable.

3. Subclaims 2 through 9 based on Claim 1 are not allowable, either. In addition,

- The roughness of the microstructure described in Subclaim 2 is made known in (4). Refer to Figures 1, 4 and 6, and the text of the abstract.
- The roughness of the microstructure described in Subclaim 3 is made known in (3). Refer to the abstract.
- The measures described in Subclaims 5 through 7 are made known in (2), as demonstrated by the cites named above.
- The measure as recited in Subclaims 8 and 9 are made known in (5).

Refer mainly to Figure 7 and the associated text.

Patent protection is therefore not justified for the measures described in the subclaims, either.

4. Given these circumstances, the application will not be successful. Instead, if this matter is pursued, it will be rejected.

Examiner for Class G02B

Brandt

Attachments:

Copies of references (1) through (5)